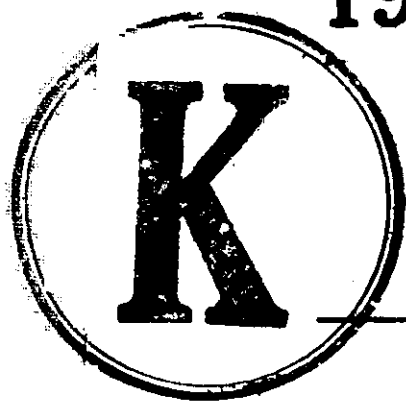




1941.

File No. Laq II/41

Legal DEPARTMENT

B BRANCH

Subject:—

Rules and Notifications
under the
Land Acquisition Act 1894

829

File No. Laq II/41
Std. Sectt. Slip 24 B a.

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DYR.

Spec
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in
It is necessary to specify a notification issued under section 4(1) of the Land Acquisition Act the public purpose for which the lands are needed. In view of rule 2 of the Rules made under section 55 of the Land Acquisition Act, it is doubtful whether a court would hold that a statement that the lands are required for the purposes of securing the defence of British India is a sufficient indication of the public purpose. Strictly speaking therefore, the purpose should be specified more clearly. However, in view of the fact that it is not considered advisable to give a definite idea of the purpose for which the lands are required even to the owners of the lands, the course suggested by Secretary, Revenue Department, may be followed and it may be stated in the notification that the lands are likely to be needed for purposes connected with the defence of British India.

Id/----- 28/5'

Rémembrancer of Legal Affairs.

U.R. to R.D.No. 292 Confl. dated the 28th May 1941.

DYR.

The word "notification" in the last sentence of R.L.A.'s opinion dated 28th May 1941 is not a slip. It is necessary to specify in a notification issued under section 4 of the Land Acquisition Act the exact purpose for which the land is required. The validity of the notification already issued is not free from doubt. It would therefore be desirable to issue a fresh notification under section 4(1). The Provisions of section 17 may then be resorted to if the lands are required urgently.

Id/-----6/6.

Remembrancer of Legal Affairs.

U.R. to R.D. No., 17-p-Cofl., dated the 6th June 1941.

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